



41 2182

PTO/SB/21 (modified) (02-04)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/054,241
	Filing Date	January 22, 2002
	First Named Inventor	John K. Walton
	Art Unit	2182
	Examiner Name	A. Elamin
Total Number of Pages in This Submission	Attorney Docket Number	EMC2-078AUS

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	60 Cited References
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	PTO Form PTO/SB/08
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

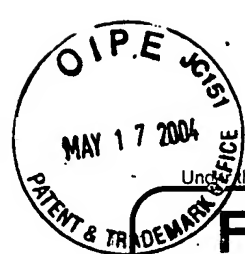
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Richard M. Sharkansky Reg. No. 25,800 Daly, Crowley & Mofford, LLP
Signature	
Date	5-6-04

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Cara Egan
Signature	
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PTO/SB/17 (10-03)

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** **180****Complete if Known**

Application Number	10/054,241
Filing Date	January 22, 2002
First Named Inventor	John K. Walton
Examiner Name	A. Elamin
Art Unit	2182
Attorney Docket No.	EMC2-078AUS

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-0845

Daly, Crowley & Mofford, LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** = 0	X	0
Independent Claims	-3** = 0	X	0
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) **0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES****Large Entity Small Entity**

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **180****SUBMITTED BY**

(Complete (if applicable))

Name (Print/Type)	Richard M. Sharkansky	Registration No. (Attorney/Agent)	25,800	Telephone	781.401.9988 ext. 23
Signature		Date	5/4/04		

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/054,241	Confirmation No.: 4075
Applicant : John K. Walton et al.	
Filed : January 22, 2002	
T.C./A.U. : 2182	
Examiner : A. Elamin	
Docket No. : EMC2-078AUS	
Customer No. : 022494	

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail with in an envelope addressed to: MS Group Art Unit #2182, Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on the date set forth below.

5-7-04
Date of Signature
and Mail Deposit

By: Cara Egan
Cara Egan

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MAY 20 2004

INFORMATION DISCLOSURE STATEMENT

Technology Center 2100

MS Group Art Unit #2182
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO form PTO/SB/08A (Formerly #1449). The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[] (1) The enclosed Information Disclosure Statement is being filed: within three months of the filing date; or within three months of the entry of the national stage of the above-identified application; or before the mailing of a first Office Action on the merits; or before the

mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. Accordingly, Applicant(s) believes that no fee or statement is required.

[X] (2) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by the fee set forth in 37 C.F.R. § 1.17(p).

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[] (3) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[] (4) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(c)

INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[] (5) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING A STATEMENT UNDER 37 C.F.R. §1.97(e)(1)

[] (6) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING A STATEMENT UNDER 37 C.F.R. §1.97(e)(2)

[] (7) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to

any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

SUBMISSION UNDER 37 C.F.R. § 1.97(d)

INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[] (8) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language; since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: _____

5-6-04

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

By: _____



Richard M. Sharkansky

Reg. No. 25,800

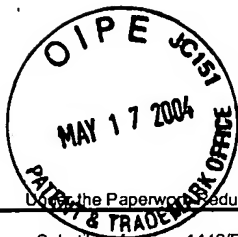
Attorney for Applicant(s)

275 Turnpike Street, Suite 101

Canton, MA 02021-2354

Tel.: (781) 401-9988, ext. 23

Fax: (781) 401-9966



PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Application Number	10/054,241
Filing Date	January 22, 2002
First Named Inventor	John K. Walton
Art Unit	2182
Examiner Name	A. Elamin
Attorney Docket Number	EMC2-078AUS

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,438,494	3/20/1984	Budde et al.	
		US- 4,456,987	06/26/1984	Wirsing	
		US- 4,480,307	10/30/1984	Budde et al.	
		US- 4,484,262	11/20/1984	Sullivan et al.	
		US- 4,636,946	01/13/1987	Hartung et al.	
		US- 4,636,948	01/13/1987	Gdaniec et al.	
		US- 4,800,483	01/24/1989	Yamamoto et al.	
		US- 5,115,433	5/19/1992	Baran et al.	
		US- 5,119,485	06/02/1992	Ledbetter, Jr. et al	
		US- 5,166,674	11/24/1992	Baum et al.	
		US- 5,206,939	04/27/1993	Yanai et al.	
		US- 5,263,145	11/16/1993	Brady et al.	
		US- 5,269,011	12/07/1993	Yanai et al.	
		US- 5,274,645	12/28/1993	Idleman et al.	
		US- 5,335,327	08/02/1994	Hisano et al.	
		US- 5,386,511	01/31/1995	Murata et al.	
		US- 5,406,607	04/11/1995	Marietta	
		US- 5,479,611	12/26/1995	Oyama	
		US- 5,539,733	07/23/1996	Anderson et al.	

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FOREIGN PATENT DOCUMENTS

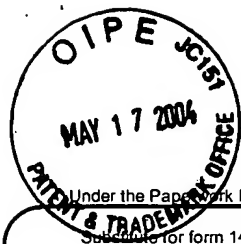
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 6337836	12/06/1994			
		JP 7191930	7/28/1995			
		JP 07244634 A (Abstract Only)	09/19/1995			
		JP 07244634	09/19/1995			
		JP 8172446 (Abstract Only)	07/02/1996			
		JP 8172446	07/02/1996			

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-03)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known			
		Application Number	10/054,241		
		Filing Date	January 22, 2002		
		First Named Inventor	John K. Walton		
		Art Unit	2182		
		Examiner Name	A. Elamin		
Sheet	2	of	4	Attorney Docket Number	EMC2-078AUS

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,551,048	08/27/1996	Steely, Jr.	
		US- 5,689,728	11/18/1997	Sugimoto et al.	
		US- 5,703,875	12/30/1997	Burnett	
		US- 5,745,790	04/28/1998	Oskouy	
		US- 5,813,024	09/22/1998	Saito	
		US- 5,839,906	11/24/1998	Leshem	
		US- 5,890,207	03/30/1999	Sne et al.	
		US- 5,903,911	05/11/1999	Gaskins	
		US- 5,920,893	07/06/1999	Nakayama et al.	
		US- 6,009,481	12/28/1999	Mayer	
		US- 6,038,638	03/14/2000	Cadden et al.	
		US- 6,081,860	06/27/2000	Bridges et al.	
		US- 6,205,536	03/20/2001	Yoshida	
		US- 6,230,229	05/08/2001	Van Krevelen et al.	
		US- 6,240,335	05/29/2001	Wehrung et al.	
		US- 6,275,877	08/14/2001	Duda	
		US- 6,275,953	08/14/2001	Vahalia et al.	
		US- 6,304,903	10/16/2001	Ward	
		US- 6,317,805	11/13/2001	Chilton et al.	

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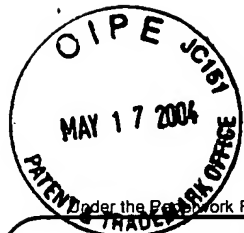
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		GB 2366424	03/06/2002			
		GB 2360377	09/19/2001			
		GB 2325541	11/25/1998			
		WO 93/01553	01/21/1993			
		WO 99/26150	10/08/1998			

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08A (08-03)

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STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/054,241
Filing Date	January 22, 2002
First Named Inventor	John K. Walton
Art Unit	2182
Examiner Name	A. Elamin
Attorney Docket Number	EMC2-078AUS

Sheet 3 of 4

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US- 6,338,095	01/08/2002	Yasuda et al.	
		US- 6,378,029	04/23/2002	Venkitakrishnan et al.	
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